

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

JOHNNY O'BRYANT

PLAINTIFF

V.

CIVIL ACTION NO. 1:07cv477 LG-RHW

HARRISON COUNTY ADULT
DETENTION CENTER, HARRISON
COUNTY, MISSISSIPPI, SHERIFF GEORGE
PAYNE, JR., WARDEN DONALD A.
CABANA, CHAPLAIN JOE COLLINS,
RHONDALYN ROGERS, FORMER DEPUTY
KARL STOLZE, AND FORMER DEPUTY
RICK GASTON

DEFENDANTS

**FIRST SET OF INTERROGATORIES PROPOUNDED TO PLAINTIFF BY DEFENDANTS,
SHERIFF GEORGE PAYNE, JR., WARDEN DONALD A. CABANA, RHONDALYN ROGERS
AND CHAPLAIN JOE COLLINS**

COME NOW Defendants, George Payne, Jr., individually and in his official capacity as Sheriff of Harrison County, Mississippi, Warden Donald A. Cabana, in his official and individual capacity, Rhondalyn Rogers, in her official and individual capacity, and Chaplain Joe Collins (herein referred to collectively as the "Defendants") in accordance with Rules 26 and 33 of the Federal Rules of Civil Procedure, and does hereby propound the following discovery unto the Plaintiff, Johnny O'Bryant. This discovery is continuing in nature and requires you to file supplemental answers in accordance with the Federal Rules of Civil Procedure if you obtain further or different information after submission of your initial answers before trial, including in each supplemental answer the date and manner in which further or different information came to your attention.

The Interrogatories are propounded as follows, to-wit:

INTERROGATORY NO. 1: Please identify yourself fully giving your full name, any aliases, age, date and place of birth, and social security number. If you have changed your name, please also provide your legal birth name.

INTERROGATORY NO. 2: Please list all of your residences, including the street addresses, city or town, and state for the past ten (10) years.

INTERROGATORY NO. 3: Please list all of your places of employment for the past ten (10) years, including employer, employer's address, supervisor's name, type of work performed, rate of pay, and reason for leaving the employment.

INTERROGATORY NO. 4: Have you ever been convicted of a felony? If your answer is in the affirmative, please furnish specifics concerning each offense, including the date, place, disposition of case, cause number, court, and sentence imposed.

INTERROGATORY NO. 5: Please list each and every criminal offense for which you were incarcerated at the Harrison County Adult Detention Center on or about August 29, 2006, and for each such charge, please state whether those charges are presently pending, or whether the charges against you have been resolved. If they have been resolved, please state the manner in which they have been resolved, i.e., whether by acquittal, dismissal, conviction, or otherwise. If convicted, please state any sentence imposed. If any such charges remain pending, please state the date on which they are scheduled for trial.

INTERROGATORY NO. 6: Have you ever been placed on probation or parole as a result of any court appearance? If your answer is in the affirmative, please furnish specifics concerning each offense resulting in your parole or probation status, including the date, place, disposition of case, case number, court, and sentence imposed.

INTERROGATORY NO. 7: Have you ever been involved as a Plaintiff or Defendant in any other civil action lawsuits? If your answer is in the affirmative, please furnish specifics concerning the allegations of any civil action lawsuits, including the names of all parties thereto, the court, the state, the county, and civil action number under which the lawsuit was filed and the disposition of same.

INTERROGATORY NO. 8: Are you now or have you ever been married? If your answer is in the affirmative, please list the maiden and married name of your past or present wife or wives; last known address(es), telephone number(s), and place(s) of marriage(s) and reason(s) for termination of the marriage(s). Please provide the same information for any children you have, whether you had them with one of your spouses or not.

INTERROGATORY NO. 9: State in specific detail the substance of your claims against each Defendant, and state in what manner you contend each Defendant allegedly violated your rights, constitutional or otherwise, giving rise to your claims against him or her.

INTERROGATORY NO. 10: Please state and describe in full and complete detail each and every alleged act and/or omission on the part of each of the Defendants which you contend he or she performed or failed to perform herein; and as to each and every such act or omission, state the following:

- a. The statute, regulation and/or legal duty violated by such performance or non-performance;
- b. The specific manner and circumstances in which you contend the performance or non-performance of the acts and/or omissions violated the statute, regulation and/or duty, and in which you contend constitutes a

basis for your claim;

- c. Specifically state whether you contend that jurisdiction in this case is based on an alleged violation of 42 U.S.C. §1983 by any of the Defendants;
- d. The identity of each person by name, address, telephone number and occupation performing or failing to perform such act and/or omission; and
- e. The exact time and date at and on which you contend that the alleged act or omission occurred.

INTERROGATORY NO. 11: Please list and describe every specific incident, including the date and time of each incident, and any and all witnesses to the incident, whereby you claim that your constitutional rights were allegedly violated by each Defendant.

INTERROGATORY NO. 12: Please list any and all witnesses whom you will or may call at the trial of this cause, including each witness' name, address and telephone number.

INTERROGATORY NO. 13: Please list and describe any and all documents which you will or may introduce into evidence at the trial of this cause.

INTERROGATORY NO. 14: Please list any and all persons whom you claim have knowledge of the events complained of in your Complaint and Amended Complaints.

INTERROGATORY NO. 15: Please identify each individual whom you propose to call as an expert witness at the trial of this cause, stating the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each such opinion. Please also furnish as a part of your answer to this Interrogatory, a resume or curriculum vitae of each proposed expert witness.

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have filed a true and correct copy of the above and foregoing pleading using the Court's ECF system and notification will automatically be provided to the following:

Karen Young, Esq.
Meadows Riley Law Firm
Post Office Box 1076
Gulfport, Mississippi 39502

I further certify that I have mailed a true and correct copy of the above and foregoing via United States mail, first class, postage fully prepaid to the following:

Johnny O'Bryant, #289746
Harrison County Adult Detention Center
B-B
10451 Larkin Smith Drive
Gulfport, Mississippi 39503

SO CERTIFIED, this the 2nd day of November, 2007.

s/David N. Duhé
David N. Duhé